IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 63 OF 2007
IN
STAMP NUMBER MAIN NO. 3040 OF 2006

THE SPECIAL LAND ACQUISITION OFFICER AND ANR. ... Applicants

Versus

THE COMMUNIDADE OF VELIM THROUGH ITS ATTORNEY SHRI ARFANO COLACO ... Respondent

Mr. Manish Salkar, Addl. Govt. Advocate for the applicants.

Mr. C. A. Coutinho, Advocate for the respondent.

Coram:- S.A.BOBDE, J.

Date:- 26th April, 2007

P.C.

This is an application for condonation of delay of about 130 days in filing the appeal. The reason for not filing the appeal in time, is that the Court Fee amount was not made available to the appellants by the Authority for whose benefit the land was acquired and, therefore, there seems to be delay.

2. This contention is denied on behalf of the respondent, who submits that the reason should not be accepted since the handing over of the amount of Court fee is normally simultaneous with the instructions to file an appeal. The contention is true. But, it is possible that in a given case where two Authorities are involved, this lapse may occur.

3. The lapse is indeed unnecessary. However, it seems to have occurred in this case. Hence, the delay is condoned.

S.A.BOBDE, J.

ssm.